

13-34-104 Prohibited acts -- Exceptions -- Responsibilities of proprietary schools.

- (1) Except as provided in this chapter, a proprietary school may not offer, sell, or award a degree or any other type of educational credential unless the student has enrolled in and successfully completed a prescribed program of study as outlined in the proprietary school's catalogue.
- (2) The prohibition described in Subsection (1) does not apply to:
 - (a) honorary credentials clearly designated as such on the front side of a diploma; or
 - (b) certificates and awards by a proprietary school that offers other educational credentials requiring enrollment in and successful completion of a prescribed program of study in compliance with the requirements of this chapter.
- (3) A proprietary school shall provide bona fide instruction through student-faculty interaction.
- (4) A proprietary school may not enroll a student in a program unless the proprietary school has made a good-faith determination that the student has the ability to benefit from the program.
- (5) A proprietary school may not make or cause to be made any oral, written, or visual statement or representation that an institution described in Subsection 13-34-107(2)(a)(ii) knows or should know to be:
 - (a) false;
 - (b) deceptive;
 - (c) substantially inaccurate; or
 - (d) misleading.
- (6) The division shall establish standards and criteria by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, for the following:
 - (a) the awarding of educational credentials;
 - (b) bona fide instruction through student-faculty interaction; and
 - (c) determination of the ability of a student to benefit from a program.

Amended by Chapter 378, 2010 General Session